

THURSDAY, APRIL 3, 2014

SIXTIETH LEGISLATIVE DAY

The House met at 9:00 a. m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Mark L. Williams, General Overseer, Church of God International Offices, TN.

Representative K. Brooks led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Roach; personal

Representative Watson

Representative Rich

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 212 Rep(s). Gilmore and Shepard as prime sponsor(s).

House Joint Resolution No. 893 Rep(s). McCormick as prime sponsor(s).

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House Joint Resolution No. 909 Rep(s). Gilmore and Cooper as prime sponsor(s).

House Joint Resolution No. 931 Rep(s). Gilmore and Cooper as prime sponsor(s).

House Bill No. 1062 Rep(s). Lundberg as prime sponsor(s).

House Bill No. 1401 Rep(s). Moody as prime sponsor(s).

House Bill No. 1440 Rep(s). Ragan as prime sponsor(s).

House Bill No. 1513 Rep(s). Ragan and Sparks as prime sponsor(s).

House Bill No. 1549 Rep(s). Littleton as prime sponsor(s).

House Bill No. 1758 Rep(s). Ragan, Ramsey, Weaver, Hardaway, Evans, Sargent, Marsh, J. Turner, Camper and Armstrong as prime sponsor(s).

House Bill No. 1877 Rep(s). Gilmore, G. Johnson, Alexander, Dean, Casada, Miller, Durham, Haynes, Bailey, Faison, Hall, Butt, Hardaway, Weaver, Towns, Eldridge, Mitchell, Littleton, Favors, Armstrong and J. Turner as prime sponsor(s).

House Bill No. 1958 Rep(s). Carter as prime sponsor(s).

House Bill No. 2094 Rep(s). Dean, Towns, Akbari, Gilmore and J. Turner as prime sponsor(s).

House Bill No. 2115 Rep(s). Ragan as prime sponsor(s).

MESSAGE FROM THE SENATE

April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 760; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 760 -- Memorials, Public Service - Senator Charlotte Burks. by *Kyle.

MESSAGE FROM THE SENATE

April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2423; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2423 -- Education, Higher - As introduced, prohibits the board of regents and the University of Tennessee's board of trustees from adopting policies that substantially

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burden students' free exercise of religion. - Amends TCA Title 4 and Title 49. by *Henry, *Summerville. (*HB2115 by *Brooks H, *White D, *White M)

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Kane was recognized in the Well to honor Aaron Templeton of Hardin Valley Academy for his outstanding success in cross country.

RECOGNITION IN THE WELL

Representative Doss was recognized in the Well to congratulate the Babe Ruth District 8 All-Star baseball team of Lawrenceburg, the South Lawrence Elementary boys basketball team, the Lawrenceburg 7 year old All Stars baseball team, and the E.O. Coffman Middle School Lady Panthers basketball team for their outstanding sportsmanship in Lawrence county.

RULES SUSPENDED

Rep. Pitts moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 933 out of order which motion prevailed.

House Joint Resolution No. 933 -- Memorials, Personal Occasion - Naomi M. Jerkins, 80th birthday. by *Pitts.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pitts the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 7, 2014:

House Resolution No. 215 -- Memorials, Recognition - Pastor Quintin R. Smith. by *Hardaway.

House Resolution No. 216 -- Memorials, Recognition - Price & Ramey, 100th anniversary. by *Shipley.

House Joint Resolution No. 934 -- Memorials, Recognition - The Bar-Kays, 50th anniversary. by *Hardaway.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 7, 2014:

Senate Joint Resolution No. 713 -- Memorials, Recognition - Historic preservation of Old Natchez Trace located in Williamson County. by *Johnson, *Henry.

Senate Joint Resolution No. 714 -- Memorials, Congratulations - Mary Jean "MJ" Lucas, 2014 Wilson County Library Board Roast. by *Beavers.

Senate Joint Resolution No. 717 -- Memorials, Academic Achievement - Christian Peery, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 718 -- Memorials, Academic Achievement - Kaylee Paige Schmittou, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 719 -- Memorials, Academic Achievement - Savannah Wilson, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 720 -- Memorials, Academic Achievement - Anthony Vandusen, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 721 -- Memorials, Academic Achievement - Quinton Cannon Jones, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 722 -- Memorials, Academic Achievement - Rory Hensley, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 723 -- Memorials, Academic Achievement - Mallory Renae Floyd, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 724 -- Memorials, Academic Achievement - Charter Webb Helton, Salutatorian, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 725 -- Memorials, Academic Achievement - Bethaney Delaine Bass, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 726 -- Memorials, Academic Achievement - Rachel Katherine McCann, Valedictorian, Lewis County High School. by *Hensley.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2545 -- Hamilton County - As introduced, subject to local approval, amends the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 689 of the Private Acts of 1937; as amended. by *Floyd.

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House Bill No. 2546 -- Hamilton County - As introduced, subject to local approval, amends the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 557 of the Private Acts of 1939; as amended. by *Floyd.

House Bill No. 2547 -- Hamilton County - As introduced, subject to local approval, amends the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 689 of the Private Acts of 1937; as amended. by *Dean.

House Bill No. 2548 -- Hamilton County - As introduced, subject to local approval, amends the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 557 of the Private Acts of 1939; as amended. by *Dean.

***House Bill No. 2549** -- Taxes, Hotel Motel - As introduced, authorizes the City of Decherd, by ordinance adopted by a two-thirds vote, to levy an occupancy tax on the privilege of staying in any hotel or motel in Decherd; the ordinance must set the rate and further set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for capital outlay improvements. - Amends TCA Section 67-4-1425. by *Alexander.

House Bill No. 2550 -- Wilson County - As introduced, subject to local approval, increases the number of members on the board of education from 5 to 7. - Amends Chapter 50 of the Private Acts of 1971; as amended. by *Pody.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1128** -- Taxes, Ad Valorem - As introduced, removes a reference to a code provision concerning review of back assessments and assessments that was repealed. - Amends TCA Title 67, Chapter 5. by *Yager, *Norris. (HB1116 by *McCormick)

Senate Bill No. 1673 -- Clerks, Court - As introduced, authorizes court clerks to retain 50 percent of the fines, costs, or litigations taxes in default for six months or more which are collected using an in-house collection procedure. - Amends TCA Title 6; Title 9; Title 20; Title 40; Title 41; Title 55 and Title 70. by *Southerland, *McNally, *Overbey, *Ketron. (*HB1401 by *Goins, *Dean, *Ragan, *Ramsey, *Carr D, *Swann)

***Senate Bill No. 1745** -- Education - As introduced, permits a local board of education to refuse to accept federal funding for an education program without a penalty being assessed by a state agency or state official. - Amends TCA Title 49. by *Kelsey. (HB1791 by *Kane)

***Senate Bill No. 1863** -- Teachers, Principals and School Personnel - As introduced, amends the number of days in which a student must be present in the classroom before the students TCAP scores are attributed to the specific teacher or school where the student is enrolled. - Amends TCA Title 49, Chapter 1, Part 6. by *Tate. (HB2082 by *Love)

Senate Bill No. 2088 -- Workers Compensation - As introduced, expands the scope of ombudsman services for unrepresented claimants and divides the power of appointing workers' compensation judges among the governor, the speaker of the senate, and the speaker of the house. - Amends TCA Title 50, Chapter 6. by *Beavers. (*HB1786 by *Pody)

***Senate Bill No. 2311** -- Local Education Agencies - As introduced, allows LEA employees who are not teachers, but who accrue sick leave, to participate in the LEA's teacher sick leave bank. - Amends TCA Title 49, Chapter 5, Part 7 and Title 49, Chapter 5, Part 8. by *McNally, *Burks. (HB2133 by *Ragan, *Brooks H)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2543 -- Crossville -- House Local Government Committee

House Bill No. 2544 -- Harriman -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 3, 2014**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 7, 2014**: House Bill(s) No(s). 1503, 1505, 2329, 1534, 2136, 2276, 2317, 2441, 1375, 1381, 1109, 1373, 2212, 1257, 2218, 2188, and 1507.

The committee also set the following bill(s) on the **Regular Calendar** for **April 9, 2014**: House Bill(s) No(s). 1574, 2472, 2167, 94, 2139, 19, House Joint Resolution(s) No(s). 542, House Bill(s) No(s). 1658, 2079, 2256, 2376, 1925, 1786, 1774, 1776, and 2293.

The committee also set the following bill(s) on the **Regular Calendar** for **April 10, 2014**: House Bill(s) No(s). 1858, and 2425.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 7, 2014**: House Joint Resolution(s) No(s). 545, Senate Joint Resolution(s) No(s). 633, House Bill(s) No(s). 2519, 2516, 2354, 2518, and 2515.

The committee further reports that House Bill(s) No(s). 1693 was considered, but failed to pass.

CONSENT CALENDAR

House Resolution No. 208 -- Memorials, Death - E. L. Wilson. by *Powers.

House Resolution No. 209 -- Memorials, Recognition - Light the Night for Kate Childhood Cancer Festival. by *Powers.

House Resolution No. 210 -- Memorials, Death - Katelyn Ann-May Norman. by *Powers.

House Resolution No. 211 -- Memorials, Professional Achievement - Andre L. Churchwell, M.D. by *Gilmore, *Hardaway.

House Resolution No. 212 -- Memorials, Sports - University of Tennessee Lady Vols basketball team. by *Armstrong, *Fitzhugh, *Turner M, *Shepard.

House Resolution No. 213 -- Memorials, Sports - University of Tennessee Volunteers men's basketball team. by *Armstrong, *Fitzhugh, *Turner M.

House Joint Resolution No. 893 -- Memorials, Public Service - Representative Kent Williams. by *McDaniel.

House Joint Resolution No. 894 -- Memorials, Public Service - Representative Vince Dean. by *Casada, *McCormick.

House Joint Resolution No. 895 -- Memorials, Public Service - Representative Richard Floyd. by *Casada, *McCormick.

House Joint Resolution No. 896 -- Memorials, Public Service - Representative Joe Carr. by *Casada, *McCormick.

House Joint Resolution No. 897 -- Memorials, Public Service - Representative Eric Watson. by *Casada, *McCormick.

House Joint Resolution No. 898 -- Memorials, Public Service - Representative Paul Bailey. by *Casada, *McCormick.

House Joint Resolution No. 899 -- Memorials, Public Service - Representative Joshua Evans. by *Casada, *McCormick.

House Joint Resolution No. 909 -- Memorials, Public Service - Representative Charles Curtiss. by *Shepard, *Pitts, *Turner M, *Fitzhugh, *Cooper.

House Joint Resolution No. 911 -- Memorials, Public Service - Campbell County citizens combating substance abuse. by *Powers.

House Joint Resolution No. 912 -- Memorials, Recognition - Boys and Girls Clubs, Youth of the Year Candidates. by *Brooks K.

House Joint Resolution No. 913 -- Memorials, Public Service - Representative Barrett Rich. by *Casada, *McCormick.

House Joint Resolution No. 914 -- Memorials, Death - James Dee Matlock. by *Rich.

House Joint Resolution No. 915 -- Memorials, Interns - Parker Linn. by *Kane, *Hall, *Goins.

House Joint Resolution No. 916 -- Memorials, Recognition - First Baptist Church of Lenoir City, 120th Anniversary. by *Matlock, *Calfee.

House Joint Resolution No. 917 -- Memorials, Academic Achievement - Sara Grossheim, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 918 -- Memorials, Academic Achievement - Mary Davenport, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 919 -- Memorials, Academic Achievement - Bailey Loveless, Top 10 Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 920 -- Memorials, Academic Achievement - Richard Lassiter, Top 10 Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 921 -- Memorials, Academic Achievement - Rachel Lochridge, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 922 -- Memorials, Academic Achievement - Will Bridges, Top 10 Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 923 -- Memorials, Academic Achievement - Kristina Lim, Valedictorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 924 -- Memorials, Academic Achievement - Kaitlin Tice, Top 10 Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 925 -- Memorials, Academic Achievement - Brooke Nicholson, Salutatorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 926 -- Memorials, Academic Achievement - Genevieve Staff, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 927 -- Memorials, Professional Achievement - Thomas C. Arnold, Sr. by *Weaver.

House Joint Resolution No. 928 -- Memorials, Academic Achievement - Sherridan Lynn Martinez, Salutatorian, Trousdale County High School. by *Weaver.

House Joint Resolution No. 929 -- Memorials, Academic Achievement - Darian Robin Sullivan, Valedictorian, Trousdale County High School. by *Weaver.

House Joint Resolution No. 931 -- Memorials, Public Service - Representative Mike Turner. by *Fitzhugh, *Cooper.

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Senate Joint Resolution No. 695 -- Memorials, Sports - Watson and Mack Brown, winningest brother coaching tandem in NCAA Division I history. by *Burks, *Tracy, *Beavers, *Bell, *Bowling, *Campfield, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 696 -- Memorials, Retirement - Mary Jo Denton, Cookeville Herald-Citizen. by *Burks.

Senate Joint Resolution No. 697 -- Memorials, Death - Ted Houston Welch. by *Dickerson, *Henry, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 698 -- Memorials, Death - Charles Edward Allen, Jr. by *Dickerson, *Henry, *Harper.

Senate Joint Resolution No. 699 -- Memorials, Death - Rabbi Randall Falk. by *Dickerson, *Henry, *Harper.

Senate Joint Resolution No. 702 -- Memorials, Recognition - Jeremy Kane. by *Henry.

Senate Joint Resolution No. 703 -- Memorials, Personal Occasion - Joe D. Duncan, 90th birthday. by *Massey, *McNally, *Overbey.

Senate Joint Resolution No. 704 -- Memorials, Recognition - Andrew Smith, recipient, OVC 2014 Thurston Banks Award for Distinguished Academic Service. by *Burks.

Senate Joint Resolution No. 705 -- Memorials, Recognition - Little Dutch Restaurant, 75th anniversary. by *Southerland, *Overbey.

Senate Joint Resolution No. 707 -- Memorials, Death - Dr. Wallace Samuel Prescott. by *Burks.

Senate Joint Resolution No. 709 -- Memorials, Sports - Elizabethton High School, Class AA State Champions. by *Crowe.

Senate Joint Resolution No. 712 -- Memorials, Professional Achievement - Nashville's Top 30 Under 30, Tennessee Chapter of the Cystic Fibrosis Foundation. by *Johnson.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 893: by Rep. McDaniel

House Joint Resolution No. 894: by Rep. Casada

House Joint Resolution No. 895: by Rep. McCormick

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House Joint Resolution No. 896: by Rep. Casada

House Joint Resolution No. 897: by Rep. Casada

House Joint Resolution No. 898: by Rep. Casada

House Joint Resolution No. 899: by Rep. Casada

House Joint Resolution No. 909: by Rep. Fitzhugh

House Joint Resolution No. 913: by Rep. Casada

House Joint Resolution No. 931: by Rep. Fitzhugh

Under the rules, House Joint Resolution(s) No(s). 893, 894, 895, 896, 897, 898, 899, 909, 913 and 931 were placed at the heel of the calendar for April 7, 2014.

Rep. Gilmore moved that all members voting aye on House Resolution No. 211 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Armstrong moved that all members voting aye on House Resolution No. 212 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Armstrong moved that all members voting aye on House Resolution No. 213 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns,

Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1860** -- Sexual Offenders - As introduced, allows county, metropolitan form of government or municipality to establish a community notification system to notify certain residences, schools and child care centers that a sexual offender or violent sexual offender is residing within a certain distance of such residences, schools and child care centers and authorizes a fee of up to \$50 for each offender in the jurisdiction to defray the notification costs. - Amends TCA Title 40, Chapter 39, Part 2. by *Spivey, *Marsh, *Hardaway. (SB2398 by *Tracy)

On motion, House Bill No. 1860 was made to conform with **Senate Bill No. 2398**; the Senate Bill was substituted for the House Bill.

Rep. Spivey moved that **Senate Bill No. 2398** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 1513 -- Controlled Substances - As introduced, adds "25H-NBOMe" as a new hallucinogen to the controlled substances in Schedule I and adds "Quinolinyndolecarboxesters" and "(1-Aminocarbonyl) propylindazolecarboxamides" to synthetic cannabinoids. - Amends TCA Title 39, Chapter 17, Part 4. by *Shipley, *Sparks. (*SB1508 by *Kelsey, *Overbey)

On motion, House Bill No. 1513 was made to conform with **Senate Bill No. 1508**; the Senate Bill was substituted for the House Bill.

Rep. Shipley moved that Senate Bill No. 1508 be passed on third and final consideration.

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Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that Criminal Justice Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Shipley moved that **Senate Bill No. 1508** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1508** and have this statement entered in the Journal: Rep(s). Sparks.

REGULAR CALENDAR, CONTINUED

House Bill No. 2094 -- Criminal Offenses - As introduced, adds drug fraud to the crimes for which a person may have the public records of a conviction expunged. - Amends TCA Title 40, Chapter 32. by *Hardaway, *Camper. (*SB2365 by *Ford)

Rep. Hardaway moved that House Bill No. 2094 be passed on third and final consideration.

Rep. Faison moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2094 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1), is amended by adding the following as a new subdivision:

(D) A person who was convicted of drug fraud, pursuant to § 53-11-402(a)(3), sentenced to imprisonment for a term of four (4) years or less for an offense committed on or after November 1, 1989 and at least ten (10) years have elapsed since completion of the sentence imposed for the offense.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to petitions filed before or after such date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Shaw moved the previous question, which motion prevailed.

Rep. Hardaway moved that **House Bill No. 2094**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, White D, White M, Williams K, Williams R, Wirgau, Womick – 91

Representatives voting no were: Haynes, Windle – 2

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Harrison voted “aye” on **House Bill No. 2094**.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 588** -- General Assembly, Statement of Intent or Position
- Urges the health insurance coverage of men's wellness and preventive services. by
*Hardaway.

BILL HELD ON DESK

Rep. Hardaway moved that House Joint Resolution No. 588 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 654** -- Public Contracts - As introduced, extends the fiscal review committee's time to review contracts and contract amendments from 40 business days to 45 business days. - Amends TCA Title 4, Chapter 56; Title 12, Chapter 4; Title 12, Chapter 3 and Title 41, Chapter 22. by *White M. (SB767 by *Yager)

Rep. M. White moved that House Bill No. 654 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 654 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 4, Part 1, is amended by adding the following as a new section 12-4-115:

12-4-115.

(a) As used in this section, "organizational conflicts of interest" may include any relationship or action between any party, including contractors and consultants, and the state or its agents making decisions to procure or contract that may:

(1) Conflict with the state's best interest; or

(2) Taint the procurement process or reputation of the state.

(b) The central procurement office, state building commission and department of transportation shall establish policies and procedures to define and identify organizational conflicts of interest. The policies and procedures shall set forth methods, which may include avoidance, mitigation, or waiver, to deal with organizational conflicts of interest.

(c) The policies and procedures shall provide that all determinations relating to specific organizational conflicts of interest be in writing. Such determinations shall periodically be reported to the speaker of the house of representatives, the speaker of the senate and to the comptroller of the treasury.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. M. White moved that **House Bill No. 654**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2322** -- Public Records - As introduced, excepts TRICOR employees from the "state service" classification and exempts performance reviews of TRICOR employees from the open records laws. - Amends TCA Title 8, Chapter 30, Part 1 and Title 41, Chapter 22, Part 4. by *Casada. (SB2570 by *Tracy)

On motion, House Bill No. 2322 was made to conform with **Senate Bill No. 2570**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 2570 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 2570** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	4

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson,

Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Stewart, Towns, Windle, Wirgau -- 4

A motion to reconsider was tabled.

REQUEST OT CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 2570** and have this statement entered in the Journal: Rep(s). Armstrong.

REGULAR CALENDAR, CONTINUED

House Bill No. 1062 -- Alcoholic Beverages - As introduced, allows wineries licensed under the Grape and Wine Law to sell and transport up to 3,000 cases of wine produced or finished on the winery's premises to restaurants and hotels licensed to serve wine for on-premises consumption. - Amends TCA Section 57-3-207. by *Casada, *Shepard. (*SB1130 by *Johnson, *Crowe, *Gresham, *Niceley)

On motion, House Bill No. 1062 was made to conform with **Senate Bill No. 1130**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 1130 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved adoption of State Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1130 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-207, is amended by adding the following language as a new subsection:

(q)

(1) A winery licensed under this section that has a total annual wine production of fifty thousand (50,000) gallons or less shall be authorized to obtain an additional self-distribution permit from the commission subject to the obligations imposed in this subsection (q).

(2) The commission shall not issue any self-distribution permit to a winery that has a registered distribution contract with a wholesaler licensed pursuant to § 57-3-203. If a winery holding a self-distribution permit enters into a distribution contract with a wholesaler or has total output in a calendar year which exceeds fifty thousand (50,000) gallons, then such winery shall promptly surrender its self-distribution permit to the commission.

(3) A winery seeking a self-distribution permit under this subsection (q) may distribute not more than three thousand (3,000) cases of wine manufactured, produced, or bottled on the winery's premises to any licensee holding a license issued pursuant to title 57, chapter 4, part 1 located within one hundred (100) miles of the winery's premises where such wine has been manufactured, produced, or bottled.

(4) A winery engaged in self-distribution under this section shall be responsible for all taxes and records which are imposed upon a wholesaler under § 57-3-203 which result from any direct sales under this subsection.

(5) The commission shall impose no additional fee or charge for the issuance of a self-distribution permit under this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 2 was adopted.

Rep. Casada moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 1130**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	12
Present and not voting.....	6

Representatives voting aye were: Armstrong, Bailey, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 76

Representatives voting no were: Brooks H, Brooks K, Dean, DeBerry J, Dunn, Floyd, Hill M, Lollar, Lynn, Matlock, Van Huss, Windle -- 12

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Representatives present and not voting were: Akbari, Alexander, Butt, Doss, Powers, Todd -- 6

A motion to reconsider was tabled.

House Bill No. 926 -- Insurance, Health, Accident - As introduced, establishes and revises requirements involving utilization review of preauthorizations for health care services. - Amends TCA Title 56. by *Casada, *Durham. (*SB1142 by *Green, *Norris)

On motion, House Bill No. 926 was made to conform with **Senate Bill No. 1142**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 1142 be passed on third and final consideration.

Rep. Sargent moved that Pensions and Insurance Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Casada moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1142 by deleting the language “or ODG” in subdivision (2)(B)(i)(a) in SECTION 2 and substituting instead the language “ODG, or McKesson”.

Rep. Casada moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 1142** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

House Bill No. 1877 -- Domestic Violence - As introduced, specifies that in divorce proceeding involving domestic abuse within the marriage, any debt owed for any batterer's intervention or rehabilitation programs shall be attributed to the abuser only. - Amends TCA Title 36. by *Ramsey, *Womick, *Rogers. (*SB1909 by *Overbey)

Rep. Ramsey moved that **House Bill No. 1877** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1758 -- Teachers, Principals and School Personnel - As introduced, allows teachers scoring "significantly above expectations" on each of their last 3 evaluations to petition the commissioner of education for a waiver of any requirement for the renewal of their licenses. - Amends TCA Title 49, Chapter 5. by *Haynes, *White M, *White D, *Brooks H, *Kane, *Forgety, *Moody, *Brooks K, *Rogers, *Ramsey. (*SB1813 by *Massey)

On motion, House Bill No. 1758 was made to conform with **Senate Bill No. 1813**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that **Senate Bill No. 1813** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell,

Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

REQUEST OT CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1813** and have this statement entered in the Journal: Rep(s). Love.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2339** -- Beer - As introduced, authorizes a county or city to issue permits not only to the owner of a business engaged in the sale, distribution, manufacture, or storage of beer, but also to the entity responsible for the premises for which the permit is sought. - Amends TCA Title 57, Chapter 4 and Title 57, Chapter 5. by *Kane, *Haynes. (SB2489 by *Dickerson)

On motion, House Bill No. 2339 was made to conform with **Senate Bill No. 2489**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that **Senate Bill No. 2489** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	8
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 78

Representatives voting no were: Dunn, Floyd, Hill M, Hill T, Holt, Lollar, Van Huss, Windle -- 8

Representatives present and not voting were: Doss, Evans, Pody, Powers, Sparks -- 5

A motion to reconsider was tabled.

House Bill No. 1446 -- Public Funds and Financing - As introduced, revises various provisions governing bonds, loans, capital outlay notes, and other debt issued by local governments. - Amends TCA Title 4; Title 7; Title 9; Title 11; Title 12; Title 13; Title 40; Title 41; Title 42; Title 49; Title 64; Title 65; Title 68 and Title 69. by *Johnson C. (*SB1512 by *Haile)

Rep. C. Johnson moved that House Bill No. 1446 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1446 by deleting Section 5 of the bill in its entirety and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Title 9, Chapter 21, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) As used in this section:

(1) "Balloon indebtedness":

(A) Means any indebtedness that:

(i) Has a final maturity date thirty-one (31) or more years after the date of issuance;

(ii) Delays principal repayment for more than three (3) years after the date of issuance;

(iii) Capitalizes interest beyond the later of the construction period or three (3) years from the date of issuance; or

(iv) Does not have substantially level or declining debt service; and

(B) Does not include any indebtedness that:

(i) Has at least seventy-five percent (75%) of total principal amortized within ten (10) years from the date of issuance with no more than twenty-five percent (25%) of principal subject to payment in any one year;

(ii) Has a debt service schedule in which each annual principal installment is not more than fifty percent (50%) in excess of the smallest prior installment;

(iii) Has a general obligation pledge and is being issued by a local government or local government instrumentality that has some amount of long-term general obligation indebtedness outstanding or proposed to be issued that is rated in the highest rating category for long-term debt instruments (AAA/Aaa) or the first tier (AA+/Aa1) of the second highest rating category for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with such rated indebtedness;

(iv) Is secured solely by a revenue pledge and is being issued by a local government or local government instrumentality that has some amount of long-term revenue indebtedness outstanding or proposed to be issued that is rated in the highest rating category for long-term debt instruments (AAA/Aaa) or the first tier (AA+/Aa1) of the second highest rating category for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with such rated indebtedness;

(v) State or federal law requires the local government or local government instrumentality to participate in the financing program;

(vi) Is a conduit transaction for a nongovernmental entity;

(vii) Is evidenced by a loan with either the United States department of agriculture or the United States department of housing and urban development; or

(viii) Is a note the issuance of which is otherwise subject to the approval of the comptroller of the treasury.

(2) "Indebtedness" means:

(A) Any bond, note, loan agreement or any other evidence of a debt obligation in which a local government or local government instrumentality, either directly or indirectly, incurs a definite and absolute obligation to the payment of the principal of and interest on the debt obligation; and

(B) Does not include bonds and loan agreements authorized by title 7, chapter 53;

(3) "Local government" means, solely for the purposes of this section, any incorporated city or town, metropolitan government, county, or utility district; and

(4) "Substantially level or declining debt service" means an amortization schedule in which the aggregate amount of debt service calculated as principal plus interest that is payable in each year is not in excess of the lowest aggregate amount of debt service payable in any prior year by more than the greater of five percent (5%) or ten thousand dollars (\$10,000). For purposes of determining whether debt service is substantially level or declining in accordance with the preceding sentence, the first three (3) years of debt service do not need to be taken into account. For purposes of determining whether debt service is substantially level or declining on bonds issued with a variable interest rate, the average rate of interest at which fixed interest rate bonds of the same maturities would be sold should be estimated and the total principal amount should be amortized based upon such interest rate assumption.

(b) For purposes of this section, principal of debt will be treated as being payable or amortized upon its stated maturity, upon any mandatory redemption date, and upon any date on which the holder of the debt has the option to require the debt to be prepaid, redeemed, or purchased (other than with the proceeds of a liquidity facility provided by a third party).

(c) Solely for purposes of this section, a local government may account for the amortization of principal and the payment of debt service on:

(1) A fiscal year basis;

(2) A calendar year basis; or

(3) An annual basis commencing on the date upon which debt is issued.

(d) On and after July 1, 2014, if any local government or local government instrumentality proposes to issue any balloon indebtedness, then the local government or local government instrumentality shall first obtain approval from the comptroller of the treasury in accordance with subsection (e).

(e) Prior to the adoption by the local government or local government instrumentality of any action authorizing the issuance of balloon indebtedness, the local government or local government instrumentality shall submit a plan of balloon indebtedness to the comptroller of the treasury or the comptroller's designee for approval. The comptroller of the treasury or the comptroller's designee may request any additional information as may be required to properly review the proposed plan of balloon indebtedness. The comptroller of the treasury or the comptroller's designee shall evaluate each plan of balloon indebtedness based on the plan's particular circumstances and shall approve the plan only if a determination is made that the repayment structure is in the public's interest.

(f) The comptroller of the treasury or the comptroller's designee shall report his or her approval or disapproval of the plan of balloon indebtedness to the governing body within fifteen (15) business days after receipt of the plan and all requested supplemental documentation. After receiving the approval of the comptroller of the treasury or the comptroller's designee of the plan of balloon indebtedness or after the expiration of fifteen (15) business days from the date the plan of balloon indebtedness is received by the comptroller of the treasury or the comptroller's designee and no disapproval having been reported by the comptroller of the treasury or the comptroller's designee, whichever date is earlier, the governing body may take such action with reference to the proposed plan of balloon indebtedness as it deems advisable in accordance with this part.

(g) The state funding board is authorized to establish guidelines, rules, or regulations with respect to the comptroller of the treasury's approval of balloon indebtedness and may exempt certain classes or issues of indebtedness from such approval.

AND FURTHER AMEND by adding the following new section to the bill:

SECTION 6. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. C. Johnson moved that **House Bill No. 1446**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 2115** -- Education, Higher - As introduced, prohibits the board of regents and the University of Tennessee's board of trustees from adopting policies that substantially burden students' free exercise of religion. - Amends TCA Title 4 and Title 49. by *Brooks H, *White D, *White M. (SB2423 by *Henry, *Summerville)

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On motion, House Bill No. 2115 was made to conform with **Senate Bill No. 2423**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 2423 be passed on third and final consideration.

Rep. Forgety moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2423** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --
91

A motion to reconsider was tabled.

***House Bill No. 2025** -- Industrial Development - As introduced, redefines "project" for purposes of industrial development corporations in Goodlettsville to include purchase, acquisition, leasing, construction and equipping of hotels and motels within any municipality that is located partly within a county having a metropolitan form of government and partly within an adjacent county. - Amends TCA Section 7-53-101(13). by *Mitchell, *Rogers, *Lamberth. (SB2275 by *Dickerson, *Haile)

On motion, House Bill No. 2025 was made to conform with **Senate Bill No. 2275**; the Senate Bill was substituted for the House Bill.

Rep. Mitchell moved that **Senate Bill No. 2275** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson,

Pitts, Pody, Powell, Powers, Ragan, Ramsey, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 2489** and have this statement entered in the Journal: Rep(s). H. Brooks.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1446** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1877** and have this statement entered in the Journal: Rep(s). Hardaway.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1958** -- Tobacco Master Settlement Agreement - As introduced, updates and revises provisions of the Tennessee Tobacco Manufacturers' Escrow Fund Act of 1999. - Amends TCA Section 47-31-102; Section 47-31-103; Section 67-4-1028; Section 67-4-1029 and Title 67, Chapter 4, Part 26. by *Sargent, *Swann. (SB2309 by *McNally)

On motion, House Bill No. 1958 was made to conform with **Senate Bill No. 2309**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that **Senate Bill No. 2309** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1813** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2489** and have this statement entered in the Journal: Rep(s). Hardaway.

REGULAR CALENDAR, CONTINUED

House Bill No. 2368 -- Law Enforcement - As introduced, permits electronic citations for certain traffic offenses; authorizes court clerks to charge a \$5.00 electronic citation fee for each citation resulting in conviction; splits fee between the court clerk and law enforcement agency. - Amends TCA Title 55, Chapter 10, Part 2. by *Watson, *Dean, *Camper, *Littleton, *Ramsey. (*SB2350 by *Ketron)

On motion, House Bill No. 2368 was made to conform with **Senate Bill No. 2350**; the Senate Bill was substituted for the House Bill.

Rep. Dean moved that Senate Bill No. 2350 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion failed by the following vote:

Ayes	44
Noes.....	42

Representatives voting aye were: Brooks H, Brooks K, Butt, Calfee, Carr D, Carter, Casada, Coley, Dean, DeBerry J, Doss, Evans, Faison, Farmer, Favors, Forgety, Gilmore, Harrison, Johnson C, Johnson G, Jones, Lamberth, Lollar, Marsh, Matheny, Matlock, McManus, Miller, Mitchell, Pitts, Powers, Ragan, Ramsey, Sargent, Shepard, Shipley, Sparks, Spivey, Stewart, Todd, Turner M, Weaver, White M, Williams K -- 44

Representatives voting no were: Akbari, Alexander, Armstrong, Bailey, Camper, Carr J, Cooper, Dennis, Dunn, Eldridge, Fitzhugh, Floyd, Goins, Halford, Hall, Hardaway, Haynes, Hill M, Hill T, Holt, Jernigan, Keisling, Littleton, Love, Lundberg, Lynn, Moody, Parkinson, Pody, Powell, Rogers, Sanderson, Shaw, Swann, Tidwell, Turner J, Van Huss, White D, Williams R, Windle, Wirgau, Womick -- 42

Rep. Dean moved that Senate Bill No. 2350 be reset for the Regular Calendar on April 7, 2014, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2309** and have this statement entered in the Journal: Rep(s). Powers.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1401** -- Clerks, Court - As introduced, authorizes court clerks to retain 50 percent of the fines, costs, or litigations taxes in default for six months or more which are collected using an in-house collection procedure. - Amends TCA Title 6; Title 9; Title 20; Title 40; Title 41; Title 55 and Title 70. by *Goins, *Dean, *Ragan, *Ramsey, *Carr D, *Swann. (SB1673 by *Southerland, *McNally, *Overbey, *Ketron)

Further consideration of House Bill No. 1401 previously considered on March 13, 2014 and March 27, 2014 at which time it was reset for today's Calendar.

On motion, House Bill No. 1401 was made to conform with **Senate Bill No. 1673**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that **Senate Bill No. 1673** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2155 -- Clerks, Court - As introduced, deletes the exemptions for Shelby and Knox counties regarding the statutory maximum fee a court clerk may charge for computer searches for any public record having commercial value; limits all court clerks statewide to charging no more than \$5.00 for such searches. - Amends TCA Title 8, Chapter 21, Part 4. by *Ramsey, *Hardaway. (*SB2097 by *Southerland)

Further consideration of House Bill No. 2155 previously considered on March 27, 2014, at which time it was reset for today's Calendar.

BILL HELD ON DESK

Rep. Ramsey moved that House Bill No. 2155 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 1360 -- Consumer Protection - As introduced, authorizes the commissioner of financial institutions to enforce title 47 against any entity regulated by the commissioner. - Amends TCA Title 45 and Title 47. by *Johnson. (*HB1242 by *Johnson C, *DeBerry J, *Pitts, *Eldridge, *Hardaway)

Further consideration of Senate Bill No. 1360 previously considered on March 27, 2014, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment No. 1 and adopted Amendment No. 2, it was then reset for today's Calendar.

Rep. C. Johnson moved that Senate Bill No. 1360 be passed on third and final consideration.

Rep. Dunn moved the House consider Amendment No. 3, which motion prevailed by the following vote:

Ayes	73
Noes	19

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Camper, Carr J, Carter, Casada, Coley, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Haynes, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ramsey, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Weaver, White D, White M, Williams R, Windle, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Calfee, Carr D, Cooper, Faison, Farmer, Harrison, Hawk, Hill M, Hill T, Lundberg, Matlock, McManus, Pody, Ragan, Spivey, Stewart, Van Huss, Williams K, Wirgau – 19

Rep. Dunn moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1360 by deleting the language in SECTION 3 of the bill and substituting instead the following language:

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming law, the public welfare requiring it. For the purposes of collecting the

annual fee and maximum yearly fee, Tennessee Code Annotated, Section 47-51-110 as enacted in SECTION 1 of the bill shall take effect July 1, 2015, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2014, and shall apply to litigation financing contracts executed on or after that date, the public welfare requiring it.

Rep. Dunn moved that Amendment No. 3 be adopted, which motion prevailed by the following vote:

Ayes	51
Noes.....	41
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Carter, Casada, Dean, Doss, Dunn, Eldridge, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hardaway, Haynes, Jernigan, Johnson C, Johnson G, Kane, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Pitts, Powell, Powers, Ragan, Ramsey, Sargent, Sexton, Shaw, Shipley, Stewart, Tidwell, Todd, Travis, Turner J, White D, White M, Williams R, Madam Speaker Harwell -- 51

Representatives voting no were: Calfee, Camper, Carr D, Carr J, Coley, Cooper, Dennis, Durham, Evans, Faison, Farmer, Gilmore, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Keisling, Lollar, Love, Lundberg, Lynn, Matlock, McManus, Moody, Odom, Parkinson, Pody, Rogers, Sanderson, Spivey, Swann, Towns, Turner M, Van Huss, Weaver, Williams K, Windle, Wirgau, Womick -- 41

Representatives present and not voting were: DeBerry J -- 1

Rep. Casada moved that all remaining debate be limited to 2 minutes under **Rule No. 21**, which motion prevailed by the following vote:

Ayes	47
Noes.....	44

Representatives voting aye were: Alexander, Armstrong, Butt, Carr D, Carr J, Casada, Dean, Doss, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Gilmore, Halford, Hawk, Haynes, Holt, Jernigan, Johnson C, Lamberth, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Odom, Pitts, Pody, Powers, Ragan, Sanderson, Sargent, Sexton, Shipley, Spivey, Swann, Tidwell, Todd, Travis, White D, White M, Williams R, Womick, Madam Speaker Harwell -- 47

Representatives voting no were: Akbari, Bailey, Brooks H, Calfee, Camper, Carter, Coley, Cooper, DeBerry J, Dennis, Dunn, Favors, Fitzhugh, Goins, Hall, Hardaway, Harrison, Hill M, Hill T, Johnson G, Jones, Kane, Keisling, Lollar, Love, Lundberg, Lynn, Matheny, McManus, Parkinson, Powell, Rogers, Shaw, Shepard, Sparks, Stewart, Towns, Turner J, Turner M, Van Huss, Weaver, Williams K, Windle, Wirgau -- 44

Rep. Shaw moved the previous question, which motion prevailed.

Rep. C. Johnson moved that **Senate Bill No. 1360**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	52
Noes.....	36
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Armstrong, Butt, Casada, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Marsh, McCormick, McDaniel, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, White D, White M, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 52

Representatives voting no were: Brooks H, Calfee, Carr D, Carr J, Carter, Cooper, Dennis, Faison, Farmer, Favors, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Keisling, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McManus, Miller, Mitchell, Moody, Ragan, Rogers, Sanderson, Towns, Turner J, Turner M, Van Huss, Weaver, Williams K -- 36

Representatives present and not voting were: Bailey, Camper, Coley, Evans, Powers, Sparks -- 6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1877** and have this statement entered in the Journal: Rep(s). Keisling.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1813** and have this statement entered in the Journal: Rep(s). Keisling.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1440** -- Workers Compensation - As introduced, revises various provisions relative to workers' compensation. - Amends TCA Section 50-6-102; Section 50-6-104; Section 50-6-118; Section 50-6-125; Section 50-6-204; Section 50-6-207; Section 50-6-242; Section 50-6-412; Section 50-6-501; Section 50-6-902 and Title 50, Chapter 9, Part 1. by *McCormick, *Lundberg, *Brooks K. (SB1645 by *Norris, *Johnson)

Further consideration of House Bill No. 1440 previously considered on March 31, 2014, at which time it was reset for today's Calendar.

Rep. Lundberg moved that House Bill No. 1440 be passed on third and final consideration.

Rep. Eldridge moved adoption of Consumer and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1440 by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 50-6-102, as amended by Public Chapter 289 (2013), is amended by adding the following as a new appropriately designated subdivision:

() “Specialty practice group” means a group of Tennessee licensed physicians, surgeons, or chiropractors providing medical care services of the same or similar medical specialty as each other and operating out of the same physical location.

SECTION 2. Tennessee Code Annotated, Section 50-6-104, as amended by Public Chapter 289 (2013), is amended by deleting the phrase “or member of a limited liability company” in subdivisions (a), (e), and the first sentence of (f).

SECTION 3. Tennessee Code Annotated, Section 50-6-118(b), is amended by deleting the language “department” in the first sentence of the subsection and substituting instead “division”, and is further amended by deleting the last sentence of the subsection and substituting, instead, the following language:

All other penalties collected pursuant to an assessment made under this section shall be paid to the division for use by the division, at the discretion of the administrator, to offset the cost of administering this chapter.

SECTION 4. Tennessee Code Annotated, Section 50-6-125, as amended by Public Chapter 289 (2013), is amended by adding the following as a new subsection:

(e) This section applies to all disputes of medical bill payments for services provided, pursuant this chapter, on or after July 1, 2014.

SECTION 5. Tennessee Code Annotated, Section 50-6-204(a)(3)(C), as amended by Public Chapter 289 (2013), is amended by deleting the language “specified in the initial panel of physicians provided by the employer pursuant to subdivision (a)(3)(A)” and substituting instead “from a panel of two (2) physicians practicing in the same specialty as the physician who recommended the surgery. In cases where the employer has provided a panel of specialists pursuant to subdivision (a)(3)(A)(i) of this section, the employee may choose one (1) of the two (2) remaining specialists to provide a second opinion on the issue of surgery and diagnosis”.

SECTION 6. Tennessee Code Annotated, Section 50-6-207(1)(E), as amended by Public Chapter 289 (2013), is amended by deleting the phrase “other than a mental injury,” from the first sentence of the subdivision, and is further amended by adding the following phrase “or for a mental injury that arose primarily out of a compensable

physical injury” to the end of the first sentence between the word “pain” and the period ending the first sentence of the subdivision.

SECTION 7. Tennessee Code Annotated, Section 50-6-242(b), as amended by Public Chapter 289 (2013), is amended by adding the phrase “but prior to July 1, 2014” to the first sentence of the subsection between the language “July 1, 2004” and the comma following the language, and further amended by deleting the reference to “§ 50-6-207(3)(B)” and by substituting, instead, a reference to “§ 50-6-241(d)(1)(B) or (d)(2)” and further amended by deleting the language “workers’ compensation judge” and replacing it, instead, with “court or workers’ compensation specialist”.

SECTION 8. Tennessee Code Annotated, Section 50-6-412, is amended by deleting the language of the section in its entirety and substituting instead the following:

(a) The administrator of the division of workers’ compensation or the administrator’s designee has the authority to issue a subpoena to require an employer doing business in the state to produce any and all books, documents or other tangible things that may be relevant to or reasonably calculated to lead to the discovery of relevant information necessary to determine whether an employer is subject to this chapter, or has secured payment of compensation pursuant to this chapter, and to determine the amount of any monetary penalty that is required to be assessed against an employer for failure to secure payment of compensation pursuant to this chapter.

(b)

(1) All monetary penalties assessed pursuant to this section that are based on the average yearly workers’ compensation premium shall be calculated by utilizing the appropriate assigned risk plan advisory prospective loss cost and multiplier for the employer as of the date of determination that the employer is subject to this chapter, and has not secured payment of compensation pursuant to this chapter.

(2) If the administrator or administrator’s designee determines the period of noncompliance with this chapter, is less than one (1) year, any assessed monetary penalty shall be prorated; however, the monetary penalty shall not be less than an amount equal to one (1) month’s premium of the average yearly workers’ compensation premium for the employer based on the appropriate assigned risk plan advisory prospective loss cost and multiplier.

(3) If any monetary penalty assessed against an employer is held in abeyance pursuant to this section, the period of abeyance shall be two (2) years. Any abated penalty becomes void upon the expiration of the two-year period; provided, that the employer remained subject to this chapter, during the two-year period and continuously secured payment of compensation as required by law. Any abated penalty becomes voidable, if within the two-year period, the employer provides notice to the administrator that the employer is no longer subject to this chapter and upon concurrence of the administrator that the employer is no longer

subject to this chapter, the penalty shall become void. Any abated penalty shall become due and payable immediately if, within the two-year period, the employer continues to be subject to this chapter and fails to secure payment of compensation as required by law.

(4) The administrator shall advise an employer of the amount of any assessed monetary penalty in writing and shall include the date on which the monetary penalty shall be due and payable.

(c)

(1) When the records of the division of workers' compensation indicate, or when the division's investigation of an employer indicates, that an employer is subject to this chapter, and has failed to secure payment of compensation as required by this chapter, the division shall so notify the employer by certified letter, return receipt requested.

(2) The division shall require the employer to provide, within fifteen (15) calendar days of the receipt of the certified letter, either proof that the employer had secured payment of compensation as required by this chapter or a verifiable sworn affidavit, with supporting documentation, that the employer is exempt from this chapter.

(3) The certified letter shall also advise the employer of the monetary penalties that may be assessed against the employer if it is determined by the administrator or the administrator's designee that the employer has failed to secure payment of compensation as required by this chapter and shall advise the employer of the criminal penalties to which the employer may be subject for the failure.

(d)

(1) If the employer responds to the certified letter fifteen (15) calendar days of its receipt and the administrator or the administrator's designee determines that the employer has secured payment of compensation as required by this chapter, or that the employer is not subject to this chapter, no monetary penalty shall be assessed.

(2) If the employer responds to the certified letter fifteen (15) calendar days of its receipt and the administrator or the administrator's designee determines that the employer is subject to this chapter and that the employer has secured the payment of compensation since the date of receipt of the certified letter, the administrator or the administrator's designee shall issue a decision assessing a monetary penalty to the employer equal to one and one-half (1½) times the average yearly workers' compensation premium, or if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of one thousand dollars (\$1,000) or one and one-half (1½) times the average yearly workers' compensation premium.

(e)

(1) If the employer fails to respond to the certified letter within fifteen (15) calendar days of its receipt or the employer responds to the certified letter but does not provide a verifiable sworn affidavit of exemption, the administrator or the administrator's designee shall issue a decision assessing two (2) penalties. The administrator or administrator's designee shall send the decision to the employer by certified mail, return receipt requested, to the employer's last known address, according to division's records.

(A) The first monetary penalty shall be equal to one and one-half ($1\frac{1}{2}$) times the average yearly workers' compensation premium, or if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of one thousand dollars (\$1,000) or one and one half ($1\frac{1}{2}$) times the average yearly workers' compensation premium.

(B) The second monetary penalty shall be equal to the average yearly workers' compensation premium for such employer.

(2) The administrator's or administrator's designee's decision shall notify the employer of all monetary penalties that have been assessed against the employer and the criminal penalties to which the employer may be subject.

(3) The administrator's or administrator's designee's decision shall advise the employer that it may request a contested case hearing to show cause why it should not have been assessed penalties for failure to comply with the workers' compensation law or to challenge the amount of the penalties assessed. Such a request must be made to the division in writing fifteen (15) calendar days of receipt of the administrator's or administrator's designee's decision assessing monetary penalties. If such request is not timely made, the decision becomes final.

(4) The employer has the burden of proof at the contested case hearing and shall produce documentary evidence that the penalties should be reduced, that the employer is not subject to this chapter, or that the employer was in compliance with this chapter.

(5) The contested case hearing shall be scheduled to be heard in a timely manner, not to exceed forty-five (45) calendar days from the date of the employer's timely written request for a contested case hearing pursuant to subdivision (e)(3).

(f)

(1) If the administrator or the administrator's designee determines at the contested case hearing that the employer is not subject to this

chapter, or that the employer had secured and continues to secure payment of compensation as required by this chapter, all monetary penalties shall be void.

(2) If the administrator or the administrator's designee determines at the contested case hearing that the employer is subject to this chapter and that the employer has come into compliance with this chapter by securing payment of compensation prior to the date of the contested case hearing, the first monetary penalty equal to one and one-half ($1\frac{1}{2}$) times the average yearly workers' compensation premium, or if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of one thousand dollars (\$1,000) or one and one-half ($1\frac{1}{2}$) times the average yearly workers' compensation premium shall be due; however, the second monetary penalty equal to the average yearly workers' compensation premium shall be held in abeyance.

(3) If the administrator or the administrator's designee determines at the contested case hearing that the employer is subject to this chapter and that the employer has failed to secure payment of compensation as required by this chapter, the employer shall be ordered to procure workers' compensation insurance coverage and to provide the division with proof of coverage within five (5) days of the issuance of the order, excluding Saturdays, Sundays and holidays. If the employer obtains workers' compensation insurance coverage and provides the division with proof of coverage as ordered, the first monetary penalty equal to one and one-half ($1\frac{1}{2}$) times the average yearly workers' compensation premium, or if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of one thousand dollars (\$1,000) or one and one-half ($1\frac{1}{2}$) times the average yearly workers' compensation premium shall be due; however, the second monetary penalty equal to the average yearly workers' compensation premium shall be held in abeyance.

(4) If the employer fails to obtain workers' compensation insurance coverage as ordered by the administrator or administrator's designee within the required time period, all monetary penalties, totaling two and one-half ($2\frac{1}{2}$) times the average yearly workers' compensation premium, or if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of two thousand dollars (\$2,000) or two and one-half ($2\frac{1}{2}$) times the average yearly workers' compensation premium, shall be immediately due and payable.

(g) The administrator shall notify the secretary of state when any employer engaged in the construction industry:

(1) Fails to secure payment of compensation, as required by this chapter; and

(2) When any employer who has failed to secure payment of compensation, as required by this chapter, has secured payment of such compensation.

(h)

(1) In the event an employer engaged in the construction industry, as defined in § 50-6-901, fails to comply with the requirements of this chapter, by failing to secure payment two (2) or more times within a five-year period, then the administrator shall issue a monetary penalty against the employer that is the greater of three thousand dollars (\$3,000) or three (3) times the average yearly workers' compensation premium for each second or subsequent violation.

(2)

(A) In the event an employer engaged in the construction industry, as defined in § 50-6-901, fails to comply with the requirements of this chapter, by failing to secure payment two (2) or more times within a five-year period, such employer shall be permanently prohibited from obtaining an exemption pursuant to part 9 of this chapter and the administrator shall notify the secretary of state of such prohibition.

(B) For purposes of subdivision (h)(2)(A), "such employer" includes any construction services provider, as defined by § 50-6-901, who applies for or has ever received a workers' compensation exemption pursuant to part 9 of this chapter using the same federal employer identification number as the employer who fails to comply with the requirements of this chapter.

(i)

(1) The administrator has the authority to seek an injunction in the chancery court of Davidson County to prohibit an employer from operating its business in any way until the employer has complied with an order by the administrator or the administrator's designee to obtain workers' compensation insurance coverage.

(2) In the event an employer fails to comply with the requirements of this chapter, by failing to secure payment of compensation on a second or subsequent occasion, the administrator shall have the authority to seek an injunction in the chancery court of Davidson County to prohibit the employer from operating its business in any way until the employer provides proof that it has complied with this chapter by securing payment of compensation.

(j) The employer shall have the right to appeal, pursuant to the Uniform Administrative Procedures Act, compiled at title 4, chapter 5, any decision made by or order issued by the administrator or the administrator's designee pursuant to this section.

SECTION 9. Tennessee Code Annotated, Section 50-6-902(c), is amended by deleting the word “department” wherever it appears in the subsection and substituting instead “division”.

SECTION 10. Tennessee Code Annotated, Section 50-9-102, is amended by deleting the phrase “commissioner of labor and workforce development” at the end of the first sentence of the section and substituting instead “administrator of the division of workers’ compensation”.

SECTION 11. Tennessee Code Annotated, Section 50-9-103(12), is amended by deleting the phrase “commissioner of labor and workforce development” at the end of the subdivision and substituting instead “administrator of the division of workers’ compensation”.

SECTION 12. Tennessee Code Annotated, Section 50-9-111, is amended by deleting the language “commissioner of labor and workforce development” wherever it appears in the section and substituting the language “administrator of the division of workers’ compensation”; deleting the words “commissioner may” from subsection (b) and substituting instead the words “administrator may”; and by deleting the word “commissioner” from subsection (e) and substituting instead the word “administrator”.

SECTION 13. Section 8 of this act shall take effect upon becoming a law, the public welfare requiring it. The remaining sections of this act shall take effect on July 1, 2014, the public welfare requiring it.

On motion, Consumer and Human Resources Committee Amendment No. 1 was adopted.

Rep. Lundberg moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lundberg moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1440 by deleting the language “subdivision (a), (e), and the first sentence of (f)” in the directory language of SECTION 2 and substituting instead “subsections (a), (e) and the first sentence of subsection (f)”.

AND FURTHER AMEND by deleting the language “pursuant this chapter” in subsection (e) in SECTION 4 and substituting instead the language “pursuant to this chapter”.

AND FURTHER AMEND by deleting the language “replacing it, instead, with” in the directory language of SECTION 7 and substituting instead “substituting instead the language”.

AND FURTHER AMEND by adding the language “within” immediately preceding the language “fifteen (15)” wherever it appears in subsection (d) in SECTION 8.

AND FURTHER AMEND by deleting the language “to division’s records” in subdivision (e)(1) in SECTION 8 and substituting instead the language “to the division’s records”.

AND FURTHER AMEND by adding the language “within” immediately preceding the language “fifteen (15)” in subdivision (e)(3) in SECTION 8.

AND FURTHER AMEND by deleting subdivision (g) in SECTION 8 and substituting instead:

(g) The administrator shall notify the secretary of state:

(1) When any employer engaged in the construction industry, as defined in § 50-6-901, fails to secure payment of compensation, as required by this chapter; and

(2) When any employer engaged in the construction industry, as defined in § 50-6-901, who has failed to secure payment of compensation, as required by this chapter, has secured payment of such compensation.

On motion, Amendment No. 3 was adopted.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative K. Brooks

REGULAR CALENDAR, CONTINUED

Rep. Lundberg moved that **House Bill No. 1440**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	7
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 84

Representatives voting no were: Akbari, Cooper, Mitchell, Parkinson, Stewart, Towns, Turner M -- 7

Representatives present and not voting were: Camper -- 1

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. J. Carr voted “aye” on **House Bill No. 1440**.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1483** -- Firearms and Ammunition - As introduced, broadens scope of handgun permit holder's right to transport and store a firearm or firearm ammunition in certain motor vehicle parking lots without criminal liability under Tennessee law. - Amends TCA Section 39-17-1313(a). by *Moody, *Casada, *Tidwell, *Lamberth, *Rogers, *Hall, *Spivey, *Bailey, *Hawk, *Faison, *Calfee, *Womick, *Keisling, *Butt, *Littleton, *Shipley, *Evans, *Matlock, *Coley, *Jernigan, *Dennis, *Eldridge, *Farmer, *McCormick, *Lundberg, *Sparks, *Kane, *Ragan, *Hill T, *VanHuss, *Matheny, *Sexton, *Sargent, *Carter, *Weaver, *Holt, *Dunn, *Wirgau, *Brooks H, *Floyd, *Goins, *Lollar, *Travis, *DeBerry J, *Halford, *Hill M, *Powers, *Todd, *McManus, *Sanderson, *Haynes, *Roach, *Durham, *Williams R, *Powell. (SB2031 by *Hensley)

Senate Amendment No. 1

AMEND House Bill No. 1483 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the language

Notwithstanding § 39-17-1309, § 39-17-1311, or § 39-17-1359, unless expressly prohibited by federal law, the holder of a valid handgun carry permit recognized in Tennessee may transport

and by substituting instead the following:

Notwithstanding any provision of law or any ordinance or resolution adopted by the governing body of a city, county or metropolitan government, including any ordinance or resolution enacted before April 8, 1986, that prohibits or regulates the possession, transportation or storage of a firearm or firearm ammunition by a handgun carry permit holder, the holder of a valid handgun carry permit recognized in Tennessee may, unless expressly prohibited by federal law, transport

SECTION 2. This act shall take effect May 1, 2014, the public welfare requiring it.

THURSDAY, APRIL 3, 2014 – SIXTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Moody moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1483**, which motion prevailed by the following vote:

Ayes	79
Noes.....	9
Present and not voting.....	2

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Favors, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shepard, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 79

Representatives voting no were: Armstrong, Gilmore, Johnson G, Jones, Odom, Parkinson, Shaw, Stewart, Towns -- 9

Representatives present and not voting were: Akbari, Camper -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on **Senate Bill No. 1360** and have this statement entered in the Journal: Rep(s). Love.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1549** -- Education - As introduced, establishes requirements for the adoption of educational standards; prohibits use of student data for purposes other than tracking academic progress and educational needs of students. - Amends TCA Title 49. by *Dunn, *Rogers, *Weaver, *White D, *Casada, *Matheny, *Carr J, *Matlock, *Womick, *Spivey, *Moody, *Butt, *McManus, *Brooks H, *White M, *Forgety, *Holt, *VanHuss, *Hill M, *Faison, *Rich, *Haynes, *Lamberth, *Eldridge, *Keisling, *Bailey, *McCormick, *Brooks K, *Dennis, *Evans, *Sparks, *Durham, *Dean, *Swann, *Wirgau, *Ragan, *Johnson C, *Halford, *Todd, *Williams R, *Lundberg, *Coley, *Lynn, *Sexton, *Marsh, *Carter, *Sargent, *Lollar, *Travis. (SB1835 by *Gresham, *Tracy, *Haile, *Johnson, *Bowling, *Campfield, *Norris)

Rep. Dunn moved that the House non-concur in Senate Amendment(s) No(s). 2 and 3, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2507 -- Rockwood - As introduced, subject to local approval, moves the election of mayor and city council to coincide with the regular November election beginning in 2014; increases salaries for mayor and council members effective after the 2014 and 2016 elections for such persons based on reelection dates; changes date and time of mayoral and city elections; revises provisions relating to petitions for recall, referendums and initiatives to coincide with general law. - Amends Chapter 327 of the Acts of 1903; as amended. by *Calfee, *Travis. (SB2595 by *Yager)

Senate Amendment No. 1

AMEND House Bill No. 2507 by deleting the fifth sentence in Article III, Section 4 of SECTION 1 and substituting instead the following:

In each and every regular City election thereafter, the seats then becoming vacant shall be filled by persons elected for terms of four (4) years.

AND FURTHER AMEND by deleting the fifth sentence in Article III, Section 6 of SECTION 2 and substituting instead the following:

The petition must be filed within seventy-five (75) days after the Commissioner of Elections certifies the petition to be in proper form in accordance with Tennessee Code Annotated § 2-5-151(c).

AND FURTHER AMEND by deleting the fifth sentence in Article V, Section 1 of SECTION 5 and substituting instead the following:

Special meetings may be called by the Mayor or by at least two (2) Councilmembers on forty-eight (48) hours' notice, or shorter in case of emergency, and notice must be served personally on the other members of the Council by the Mayor, a Council Member, or a police officer.

Rep. Calfee moved that the House concur in Senate Amendment No. 1 to **House Bill No. 2507**, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL RE-REFERRED

Rep. McCormick moved that **House Bill No. 1466** be re-referred to the Government Operations Committee and that the same be heard next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. McCormick moved that **House Joint Resolution(s) No(s). 894, 897 and 913**, previously objected to on today's Consent Calendar, be placed on the Regular Calendar for April 9, 2014, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. McCormick moved that **House Joint Resolution(s) No(s). 898**, previously objected to on today's Consent Calendar, be placed on the Regular Calendar for April 10, 2014, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Fitzhugh moved that **House Joint Resolution(s) No(s). 893, 909 and 931**, previously objected to on today's Consent Calendar, be placed on the Regular Calendar for April 10, 2014, which motion prevailed.

RULES SUSPENDED

Rep. Windle moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 760 out of order which motion prevailed.

Senate Joint Resolution No. 760 -- Memorials, Public Service - Senator Charlotte Burks. by *Kyle.

On motion of Rep. Windle, the resolution was concurred in.

A motion to reconsider was tabled.

ANNOUNCEMENT

Representative Sargent announced that Appropriation Amendments would be heard at 1:00 p. m. on Monday, April 7, 2014.

ANNOUNCEMENT

The Clerk announced the Delayed Bills Committee would meet fifteen minutes after the adjournment of session today in the Speaker's Conference Room.

RULES SUSPENDED

Rep. Hardaway moved that the rules be suspended for the purpose of introducing House Resolution No. 214 out of order which motion prevailed.

House Resolution No. 214 -- Memorials, Recognition - The Bar-Kays, 50th anniversary. by *Hardaway.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hardaway, the resolution was adopted.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on **House Bill No. 1483** and have this statement entered in the Journal: Rep(s). J. Turner.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1109 Rep(s). Parkinson as prime sponsor(s).

House Bill No. 1425 Rep(s). Pitts as prime sponsor(s).

House Bill No. 1507 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 1969 Rep(s). Gilmore as prime sponsor(s).

House Bill No. 2079 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2097 Rep(s). Gilmore as prime sponsor(s).

House Bill No. 2214 Rep(s). Parkinson as prime sponsor(s).

House Bill No. 2372 Rep(s). Parkinson as prime sponsor(s).

House Bill No. 2529 Rep(s). McManus as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Durham was/were removed as sponsor(s) of **House Bill No. 2051**.

SIGNED
April 3, 2014

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1492.

JOE McCORD, Chief Clerk

ENGROSSED BILLS
April 3, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 933;

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 915, 1720, 1786, 1794, 1906, 2246, 2411, 2464 and 2507; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 3, 2014

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 915, 1720, 1786, 1794, 1906, 2246, 2411, 2464 and 2507.

JOE McCORD, Chief Clerk

SIGNED
April 3, 2014

The Speaker announced that she had signed the following: House Bill(s) No(s). 1179, 1523, 1590, 1591, 1592, 1593, 1704 and 2152.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 3, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 773, 815, 842, 843, 844, 845 and 846; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE GOVERNOR

April 3, 2014

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No(s). 582; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

MESSAGE FROM THE SENATE

April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1690, 1908, 1917, 1966, 1992, 2352, 2356, 2404 and 2626; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1690** -- Criminal Offenses - As introduced, states that serious bodily injury to a child shall include second- or third-degree burns, a fracture of any bone, a concussion, subdural or subarachnoid bleeding, retinal hemorrhage, cerebral edema, brain contusion, injuries to the skin that involve severe bruising or the likelihood of permanent or protracted disfigurement, including those sustained by whipping children with objects. - Amends TCA Title 39 and Title 40. by *Massey. (HB2177 by *Rich)

***Senate Bill No. 1908** -- Hospitals and Health Care Facilities - As introduced, enacts the "Annual Coverage Assessment of 2014". - Amends TCA Title 71, Chapter 5 and Chapter 250 of the Public Acts of 2013. by *Overbey. (HB1950 by *Harrison, *Wirgau, *Sanderson, *Kane, *Coley, *Farmer, *Hawk, *Carr D, *Casada, *McDaniel, *Eldridge, *Swann, *Powers, *Keisling, *Faison, *Lundberg, *Williams K, *Lamberth, *Hardaway, *Goins, *Forgety, *Brooks K, *Sargent, *Johnson C, *Haynes, *Roach, *Todd, *Jernigan, *Ramsey, *Lollar, *Sparks, *Cooper, *Gilmore, *Akbari, *Towns, *Odom, *Love, *Womick, *Stewart, *Pitts, *Jones, *Floyd, *Fitzhugh, *Turner M, *Johnson G)

***Senate Bill No. 1917** -- Recycling - As introduced, increases the recycling goal for municipal solid waste regions in phases from the current 25 percent to 50 percent in 2018; requires that certain actions be taken by regions that do not meet the goal; requires that preference for certain grants be given to regions that do not meet the goal. - Amends TCA Title 68, Chapter 211. by *Southerland. (HB1898 by *Swann, *Gilmore)

Senate Bill No. 1966 -- School Transportation - As introduced, increases the amount of recorded travel from less than 200,000 miles to less than 400,000 miles, for any conventional or Class D school bus operated in its sixteenth or seventeenth year of service. - Amends TCA Title 49, Chapter 6, Part 21. by *Bell, *Yager. (*HB1507 by *Travis, *Keisling, *Ramsey, *Dean, *Carter)

***Senate Bill No. 1992** -- Pharmacy, Pharmacists - As introduced, authorizes collaborative pharmacy practice. - Amends TCA Title 63, Chapter 10; Title 63, Chapter 6 and Title 63, Chapter 9. by *Overbey, *McNally, *Haile, *Crowe, *Yager. (HB2139 by *Shepard, *Odom, *Ramsey, *Sexton, *Favors)

***Senate Bill No. 2352** -- Education, Higher - As introduced, clarifies that both public and private institutions only offering preschool through twelfth grade education are exempt from the Postsecondary Education Authorization Act of 1974. - Amends TCA Section 49-7-2004. by *Gresham. (HB2127 by *Brooks H)

Senate Bill No. 2356 -- Education - As introduced, requires LEAs to submit their policy prohibiting harassment, intimidation, bullying or cyber-bullying to the commissioner of education by January 1, 2015, and annually thereafter; requires LEAs to transmit any revisions of the policy to the commissioner with the revisions highlighted. - Amends TCA Title 49. by *Dickerson. (*HB2079 by *Powell)

Senate Bill No. 2404 -- Education - As introduced, requires dissemination by the department of education and LEAs to parents of information concerning state and LEA mandated tests. - Amends TCA Title 49. by *Hensley, *Gresham. (*HB2167 by *Butt)

Senate Bill No. 2626 -- Tipton County - As introduced, subject to local approval, removes the requirement that the tax assessor or deputy tax assessor stamp or make a physical notation on certain conveyances of real property. - Amends Chapter 46 of the Private Acts of 1969; as amended. by *Norris. (HB2541 by *Moody)

ENROLLED BILLS

April 3, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 208, 209, 210, 211, 212 and 213; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

April 3, 2014

The Speaker announced that she had signed the following: House Resolution(s) No(s). 208, 209, 210, 211, 212 and 213.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 713, 714, 717, 718, 719, 720, 721, 722, 723, 724, 725 and 726; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

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Senate Joint Resolution No. 713 -- Memorials, Recognition - Historic preservation of Old Natchez Trace located in Williamson County. by *Johnson, *Henry.

Senate Joint Resolution No. 714 -- Memorials, Congratulations - Mary Jean "MJ" Lucas, 2014 Wilson County Library Board Roast. by *Beavers.

Senate Joint Resolution No. 717 -- Memorials, Academic Achievement - Christian Peery, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 718 -- Memorials, Academic Achievement - Kaylee Paige Schmittou, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 719 -- Memorials, Academic Achievement - Savannah Wilson, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 720 -- Memorials, Academic Achievement - Anthony Vandusen, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 721 -- Memorials, Academic Achievement - Quinton Cannon Jones, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 722 -- Memorials, Academic Achievement - Rory Hensley, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 723 -- Memorials, Academic Achievement - Mallory Renae Floyd, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 724 -- Memorials, Academic Achievement - Charter Webb Helton, Salutatorian, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 725 -- Memorials, Academic Achievement - Bethaney Delaine Bass, Top Ten, Lewis County High School. by *Hensley.

Senate Joint Resolution No. 726 -- Memorials, Academic Achievement - Rachel Katherine McCann, Valedictorian, Lewis County High School. by *Hensley.

ENROLLED BILLS

April 3, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No(s). 214; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 3, 2014**

The Speaker announced that she had signed the following: House Resolution No(s). 214.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 3, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1483 and 2507; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**ENGROSSED BILLS
April 3, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 654, 1440, 1446, 1877 and 2094; also House Joint Resolution(s) No(s). 911, 912, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928 and 929.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 3, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 540 and 552; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1613, 1772, 2083, 2514 and 2523; substituted for Senate bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 3, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693 and 694; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF DELAYED BILLS COMMITTEE
April 3, 2014

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Resolution(s) No(s). 185, 191, 207, House Joint Resolution(s) No(s). 679, 847, 932, Senate Joint Resolution(s) No(s). 591, 603, 604, 605, 631, 710 and House Bill(s) No(s). 2549.

Beth Harwell
Gerald McCormick
Craig Fitzhugh

ROLL CALL

The roll call was taken with the following results:

Present..... 92

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

RECESS

On motion of Rep. McCormick the House stood in recess until 4:00 p.m., Monday, April 7, 2014.